

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

UNITED STATES OF AMERICA

v.

ERIC CLIFTON

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Criminal No. – CCB-06-0209

Civil No. - CCB-16-2204

MEMORANDUM


Eric Clifton has filed a motion under 28 U.S.C. § 2255 challenging his sentence imposed under the career offender guidelines. The government has filed a response to which Clifton has not filed a reply.

The ground for the § 2255 motion is that Clifton is not a career offender because his offense of bank robbery, to which he pled guilty, and his prior convictions no longer qualify as career offender “crimes of violence” pursuant to the holding of the Supreme Court in *Johnson v. United States*, 135 S. Ct. 2551 (2015). However, in *Beckles v. United States*, 137 S. Ct. 886, 890-92 (2017), the Supreme Court held that the advisory Guidelines are not subject to Johnson challenges. Thus, Clifton’s claims must be denied. No certificate of appealability will be issued.

A separate order follows.

Date: _____

4/4/18



Catherine C. Blake
United States District Judge